

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 1:19-cv-12551-FDS

Hon. F. Dennis Saylor IV

**DECLARATION OF KEVIN GANNON IN SUPPORT OF
PLAINTIFF’S OPPOSITION TO DEFENDANT GOOGLE LLC’S
MOTION FOR LEAVE TO SUPPLEMENT NON-INFRINGEMENT
AND INVALIDITY CONTENTIONS**

I, Kevin Gannon, hereby declare as follows:

1. I am an attorney with the law firm Prince Lobel Tye LLP, attorneys for plaintiff, Singular Computing LLC (“Singular”), in this action. I submit this declaration in support of Singular’s opposition to the motion of defendant, Google LLC (“Google”), for leave to supplement its non-infringement and invalidity contentions.

2. Attached hereto as Exhibit A is a true and correct copy of excerpts from a Petition for *Inter Partes* Review (“IPR”) that Google filed in IPR2021-00179 on November 6, 2020.

3. Attached hereto as Exhibit B is a true and correct copy of excerpts from a Petition for IPR that Google filed in IPR2021-00165 regarding U.S. Patent No. 9,218,156 on November 5, 2020.

4. Attached hereto as Exhibit C is a true and correct copy of excerpts from a Petition for IPR that Google filed in IPR2021-00155 regarding U.S. Patent No. 10, 416,961 on October 30, 2020.

5. Attached hereto as Exhibit D is a true and correct copy of excerpts from Google's Responsive Contentions Regarding Non-Infringement and Invalidity served on counsel for Singular on November 6, 2020.

6. Google produced a copy of the Lienhart *et al.* article titled "Using Floating-Point Arithmetic on FPGAs to Accelerate Scientific N-Body Simulation" (identified with production numbers GOOG-SING-00022000-09) to Singular in this case on November 6, 2020.

7. The Hamada *et al.* article titled "PROGRAPE-1: A Programmable, Multi-Purpose Computer for Many-Body Simulations" is cited as a reference in: (A) Makino *et al.*, "GRAPE-6: Massively-Parallel Special-Purpose Computer for Astrophysical Particle Simulations" at GOOG-SING-00022038; and (B) the Lienhart article at GOOG-SING-00022009. Google produced a copy of the Makino *et al.* article with the Lienhart *et al.* article to Singular in this case on November 6, 2020.

8. Attached hereto as Exhibit E is a true and correct copy of excerpts from Singular's Patent Owner's Preliminary Response filed in IPR2021-00179 on February 24, 2021.

9. I have reviewed the docket in *SoClean, Inc. v. Sunset-Healthcare Sols., Inc.*, No. 20-cv-10351, (D. Mass.). At the time *Sunset-Healthcare* filed its motion to amend its contentions on August 28, 2020, fact discovery in that case was still ongoing. *See, e.g.*, Dkt. No. 71 at p. 1 ("Fact discovery is ongoing, and SoClean has yet to produce any documents beyond its initial patent disclosures.")

Executed at Boston, Massachusetts on September 7, 2022.

/s/ Kevin Gannon